

Memorandum

TO: PARKS AND RECREATION
COMMISSION

FROM: David J. Mitchell

SUBJECT: SEE BELOW

DATE: 11-28-05

Approved

Date

Council District: 6
SNI:

**SUBJECT: CONDUCT A PUBLIC HEARING ON THE PROPOSED PARK SITE PLAN
FOR A FUTURE PUBLIC PARK AT THE SOUTHEAST CORNER OF
CURCI DRIVE AND ST. ELIZABETH DRIVE**

RECOMMENDATION

Approve a recommendation to the City Council regarding the acceptance of the proposed site plan associated with a future public park by Pinn Brothers at the southeast corner of Curci Drive and St. Elizabeth Drive in Council District Six.

BACKGROUND

Pinn Brothers (Developer) is proposing the development of 46 single-family attached units on a 2.2 gross acre site located at the southeast corner of Curci Drive and St. Elizabeth Drive in Council District Six. To fulfill its parkland obligation for PD05-046, the Developer is proposing to dedicate approximately 9,600 square feet or 0.2 acre of land to the adjacent 0.5 acre neighborhood park site known as Curci Drive and to turnkey the development of the overall park site. The Developer has prepared a site plan for the proposed park and presented it to the community on October 25, 2005. A copy of the proposed park development plan is attached.

On November 9, 2004, the City's Planning Commission considered the Negative Declaration and found it in compliance with CEQA and recommended to the City Council approval of the proposed Planned Development Rezoning to allow up to 46 single family attached units as recommended by staff, including the dedication of 0.2 acres to the adjacent park site. The City Council will consider the proposed housing project and land dedication in the evening of December 6, 2005.

ANALYSIS

The Commission is to conduct a public hearing on Wednesday, December 7, 2005, to consider an approval 0.7-acre park site on the southeast corner of Curci and St. Elizabeth Drives. The proposed site development plan includes a play area, picnic area, a game table, open turf area, fencing and landscape borders, will be presented to the Commission at this meeting.

Willow Street/Branhall Park is about 1/3-mile away to the southeast and O'Connor Park is about one-mile away to the north from the proposed park site at the southeast corner of Curci and St. Elizabeth Drives. The nearest school sites to the proposed park site are Sherman Oak Elementary School to the west and River Glen Elementary School to the east. This area is lacking in a local neighborhood park site.

Pinn Brothers' project on Curci Drive has a parkland obligation of 0.40 acre of raw parkland (46 units x 2.88 PPH x .003 = 0.40 acres). Pinn Brothers will meet part of its parkland obligation by the dedication of 0.22-acre of land for public park purposes under the City's Parkland Dedication Ordinance (PDO), Chapter 19.38 of the San José Municipal Code. This land dedication is equal to 25.5 units of credits under the PDO. Pinn Brothers will use the funds associated with the remaining 20.5 units, or \$271,625 to design and construct the park, with augmentation funding from the City's Park Trust Fund. The estimated cost to design, construct and inspect the proposed park development is approximately \$500,000. The Developer is willing to construct the park as a Turnkey Project under the City's Parkland Dedication Ordinance.

OUTCOMES

Approval of the proposed site plan will enable staff to craft a turnkey agreement for City Council consideration to have the park constructed, as shown on the attached plan.

PUBLIC OUTREACH

On October 25, 2005, approximately 25 community members attended a meeting at the St. Elizabeth Day Care Center regarding the design for the proposed park. The community requested the park to include amenities for kids as well as game tables for use by seniors. The play area should be fenced in and serve both tots and youths. The drinking foundation should be pet friendly. Some attendees suggested that a restroom be added to the park. Others would like to see a sand box in the play area and/or a small dog run area. It was also suggested to use the existing orchard trees for the park. The community expressed concerns regarding sightline issues associated with street trees to ensure safe crossing at the Curci/St. Elizabeth intersection. Staff is suggesting that the park be built without a restroom, a dog run and the use of orchard trees.

PARKS AND RECREATION COMMISSION

11-27-05

Subject: A PUBLIC HEARING REGARDING A PROPOSED PARK BY PINN BROTHERS AT THE
SOUTHEAST CORNER OF CURCI AND ST. ELIZABETH DRIVES

Page 3

A notice of the public hearing was mailed by Developer to property owners and renters within 500 feet of the developer's project site and those who have expressed an interest in the park by attending the June 13, 2005, community meeting. A display ad was placed in the San Jose Mercury News to run on November 28 and December 4, 2005. An e-mail was sent to those neighborhood associations on the Neighborhood Development Center's databank.

COORDINATION

Preparation of this memorandum has been coordinated with the City's Attorney's Office.

COST IMPLICATIONS

The park is anticipated to be completed early in Fiscal Year 2007-2008. The annual maintenance cost for the proposed park is estimated at \$15,000 per year.

CEQA

Negative Declaration, PDC05-046

DAVID J. MITCHELL
Parks Planning Manager

Attachment: Proposed Site Plan for the Park